

REMARKS

Claims 1-28 are currently pending. Claims 27-28 are new. Claims 1, 25, and 26 have been amended. Claims 2, 3, 7, 9, 10, 14, 21, 22 and 26 are withdrawn. Claims 1, 4-6, 8, 11-13, 15-20 and 23-25 are rejected. No new matter has been presented.

Claims 1, 8 and 15-20 stand rejected under 35 USC 103(a) as being unpatentable over Miyakoshi, JP 05053395 A, in view of Abe, JP 62119072 A. This rejection is respectfully traversed.

The Examiner asserts that Miyakoshi teaches all of the features recited in claims 1, 8, and 15-20, except for the claimed braking device, braking force setting device, and controller. The Examiner asserts that it would have been obvious to have modified Miyakoshi in view of Abe to create the claimed invention. Applicants respectfully disagree for at least the following reasons.

First, Abe fails to disclose the claimed braking force setting device and the claimed controller. Thus, Abe does not cure the deficiencies in Miyakoshi. The Examiner compares Abe's tension applying motor 42 with the claimed brake force setting device, and compares Abe's controller 7 with the claimed controller. Applicants submit that these comparisons are improper.

Unlike the claimed brake force setting device, Abe's tension applying motor 42 does not set or facilitate setting of a braking force. Rather, tension applying motor 42 merely rotates in response to a driver circuit 63 to apply tension to paper PP as it passes by printer head 1. In this regard, tension applying motor 42 performs a similar function to a conventional feed roller apparatus such as Miyakoshi's feed roller 4. Because Abe's tension applying motor 42 does not set or enable setting of a braking force, it does not constitute a brake force setting device as claimed. Accordingly, the rejection of claims 1, 8, and 15-20 should be withdrawn.

Unlike the claimed controller, Abe's controller 7 does not "control [a] variable braking force applied by [a] braking device according to [a] setting made by said braking force setting device". As set forth above, Abe's tension applying motor 42 does make any settings. Therefore,

Abe's controller 7 does not control a braking force according to a setting from tension applying motor 42. Because Abe's controller does not control a braking force according to a setting from a braking force setting device, it does not constitute a controller as claimed. Accordingly, the rejection of claims 1, 8, and 15-20 should be withdrawn.

Second, one skilled in the art would not have been motivated to combine Miyakoshi with Abe to create the claimed invention. The Examiner asserts that one skilled in the art would have been motivated to make the proposed combination "in order to provide tension and absorb slackening of the perforated continuous paper sheet being transported to the image forming device (as taught by Abe)". Applicants respectfully disagree.

Miyakoshi teaches that "the recording paper is carried in a pulled state between the tractor 2 and the feed roller". In other words, Miyakoshi teaches that the problem of providing tension and absorbing slackening is already addressed by Miyakoshi's existing components, thus teaching away from the addition of further components such as Abe's tension applying motor 42. Further, as set forth above, Abe's tension applying motor 42 performs a similar function to Miyakoshi's feed rollers 4. Thus, one skilled in the art would not have viewed Abe's tension applying motor 42 to add functionality to Miyakoshi's existing configuration. Finally, neither Miyakoshi nor Abe teaches or suggests a need to provide a braking force to counteract an opposite force, such as the feeding force discussed in the present specification. Thus one skilled in the art would not have been motivated to modify Miyakoshi to include a braking device as claimed. Because one skilled in the art would not have been motivated to combine Miyakoshi with Abe to create the claimed invention, the rejection of claims 1, 8, and 15-20 should be withdrawn.

The remaining claims 4-5, 11-13, and 23-25 are allowable at least due to their respective dependencies.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is

determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 325772024500.

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